

# Daily Digest

## HIGHLIGHTS

Senate passed S. 1050, National Defense Authorization Act.

House committees ordered reported nine sundry measures.

The House agreed to the Conference Report on H.R. 2, Jobs and Growth Tax Relief Reconciliation Act.

The House passed H.R. 1588, National Defense Authorization for Fiscal Year 2004.

The House passed H.R. 2185, Unemployment Compensation Amendments of 2003.

## Senate

### Chamber Action

*Routine Proceedings, pages S6891–S6946*

**Measures Introduced:** Thirty-nine bills and two resolutions were introduced, as follows: S. 1103–1141, S.J. Res. 13, and S. Res. 153.

(See next issue.)

#### Measures Reported:

S. 579, to reauthorize the National Transportation Safety Board. (S. Rept. No. 108–53) (See next issue.)

S. Res. 92, designating September 17, 2003 as “Constitution Day”. (See next issue.)

S. Res. 136, recognizing the 140th anniversary of the founding of the Brotherhood of Locomotive Engineers, and congratulating members and officers of the Brotherhood of Locomotive Engineers for the union’s many achievements. (See next issue.)

S. Res. 145, designating June 2003, as “National Safety Month”. (See next issue.)

S. 554, to allow media coverage of court proceedings. (See next issue.)

S. 858, to extend the Abraham Lincoln Bicentennial Commission. (See next issue.)

#### Measures Passed:

**National Defense Authorization:** By 98 yeas to 1 nay (Vote No. 194), Senate passed S. 1050, to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, and to prescribe personnel strengths for such fiscal year for the Armed

Forces, after taking action on the following amendments proposed thereto: **Pages S6892–S6918, S6919–41**

Adopted:

Warner (for Smith) Amendment No. 804, to authorize a land exchange, Naval and Marine Corps Reserve Center, Portland, Oregon. **Pages S6892–93**

Levin (for Sarbanes) Amendment No. 805, to provide for the conveyance of land at Fort Ritchie, Maryland. **Page S6893**

Warner (for Inhofe) Modified Amendment No. 707, to add an amount of Army RDT&E funding for human tissue engineering, and to provide offsets within the same authorization of appropriations. **Page S6893**

Reid (for Daschle/Johnson) Modified Amendment No. 791, to set aside an amount for reconstituting the B–1B bomber aircraft fleet of the Air Force. **Pages S6892, S6893–94**

Warner (for Santorum) Modified Amendment No. 787, to make available \$2,000,000 for non-thermal imaging systems. **Pages S6894–95**

Levin (for Biden/Carper) Amendment No. 806, to increase by 30 personnel the personnel end strength of the Air National Guard of the United States as of September 30, 2004, to provide personnel to improve the information operations capability of the Air National Guard of the United States. **Page S6895**

Subsequently, the amendment was modified.

**Pages S6920–21**

Warner (for Santorum) Modified Amendment No. 788, to make available, with an offset, \$3,000,000 for operation and maintenance for the Army Reserve

for information operations for Land Forces Readiness—Information Operations Sustainment.

**Page S6895**

Levin (for Bingaman) Amendment No. 807, to make available, with an offset, (\$2,100,000) from amounts available for research, development, test, and evaluation for the Air Force for Major T&E Investment (PE 0604759F) for research and development on magnetic levitation technologies at the high speed test track at Holloman Air Force Base, New Mexico.

**Page S6895**

Warner (for Santorum) Amendment No. 808, to make available, with an offset, \$2,000,000 for other procurement for the Army for medical equipment for the procurement of rapid infusion (IV) pumps.

**Page S6895**

Warner (for Graham (SC)) Modified Amendment No. 743, to set aside an increased amount for the Collaborative Information Warfare Network at the Critical Infrastructure Protection Center at the Space Warfare Systems Center.

**Pages S6895–96**

Warner (for Lott/Lieberman) Modified Amendment No. 723, to set aside an amount of Navy RDT&E funding for the development and fabrication of composite sail test articles for incorporation into designs for future submarines.

**Page S6896**

Warner (for Santorum) Amendment No. 809, to make available, with an offset, \$2,000,000 for research, development, test, and evaluation for the Army for the development of Portable Mobile Emergency Broadband System (MEBS).

**Page S6896**

Warner (for Domenici) Amendment No. 810, to provide, with an offset, an additional \$5,000,000 for research, development, test, and evaluation for the Air Force for boron energy cell technology.

**Page S6896**

Warner (for Cochran) Amendment No. 760, to set aside an amount for coproduction of the Arrow ballistic missile defense system.

**Page S6896**

Levin (for Bingaman) Modified Amendment No. 790, to require a report assessing the effects of the repeal of the prohibition on the research and development of low-yield nuclear weapons.

**Pages S6896–97**

Warner Amendment No. 811, to authorize the acceptance of guarantees with gifts for the development of the Marine Corps Heritage Center at Marine Corps Base, Quantico, Virginia.

**Page S6897**

Levin (for Nelson (FL)) Amendment No. 737, to authorize certain travel and transportation allowances for dependents of members of the Armed Forces who have committed dependent abuse.

**Page S6897**

Warner (for McCain) Amendment No. 812, to provide funds for certain emergency and morale communications programs.

**Pages S6897–98**

Warner (for Hutchison) Amendment No. 813, to express the sense of the Senate that air carriers

should provide special fares to members of the armed forces.

**Page S6898**

Warner (for Chambliss) Amendment No. 814, to modify the program element of the short range air defense radar program of the Army.

**Page S6898**

Levin (for Mikulski) Amendment No. 815, to provide additional duties for the DOD-VA Joint Executive Committee relating to integrated healing care practices for members of the Armed Forces and veterans.

**Page S6898**

Warner (for Bennett) Amendment No. 816, to require a Department of Defense study of the adequacy of the beryllium industrial base.

**Pages S6898–99**

Warner (for McCain) Amendment No. 817, to require a report on decisionmaking by the North Atlantic Treaty Organization.

**Page S6899**

Levin (for Boxer) Amendment No. 818, to require a GAO report regarding the adequacy of special pays and allowances for service members who experience frequent deployments away from their permanent duty stations for periods less than 30 days.

**Page S6899**

Warner Amendment No. 819, to set aside an amount for initiating a capability in historically Black colleges and universities to support the network centric operations of the Department of Defense.

**Page S6899**

Warner (for Bunning) Modified Amendment No. 789, to express the sense of the Senate on the deployment of airborne chemical agent monitoring systems at the chemical stockpile disposal sites in the United States.

**Pages S6899–S6900**

Warner (for Sessions) Amendment No. 820, to require a study of the military death gratuity and other death benefits provided for survivors of deceased members of the Armed Forces.

**Page S6900**

Levin (for Landrieu) Amendment No. 821, to amend title 32, United States Code, to increase the maximum Federal share of the costs of State programs under the National Guard Challenge Program for fiscal year 2004, and to provide an offset.

**Pages S6900–01, S6902**

Warner (for Bunning) Amendment No. 727, to authorize the use of multiyear procurement authority for the Navy for procurement of the Phalanx Close In Weapon System program, Block 1B.

**Page S6901**

Warner Amendment No. 822, to provide an equitable offset for any fee charged the Department of Defense by the Department of State for maintenance, upgrade, or construction of United States diplomatic facilities.

**Page S6901**

Levin (for Landrieu) Amendment No. 823, to provide for feasibility study of the conveyance of the Louisiana Army Ammunition Plant, Doyline, Louisiana.

**Page S6901**

Levin (for Feinstein/Reid/Boxer) Amendment No. 824, to require the submittal of a survey on perchlorate contamination at Department of Defense sites. **Pages S6901–02**

Levin (for Dodd) Amendment No. 785, to strengthen the authority under section 852 to provide Federal support for the enhancement of the emergency response capabilities of State and local governments. **Page S6902**

By a unanimous vote 99 yeas (Vote No. 193), Warner/Boxer/Lautenberg Modified Amendment No. 826, to require the Department of Defense to fully comply with the Competition in Contracting Act for any contract awarded for reconstruction activities in Iraq. **Pages S6914–18**

Levin (for Kerry/Kennedy) Amendment No. 828, to authorize the transportation of dependents to the presence of members of the Armed Forces who are retired for illness or injury as a result of active duty. **Page S6921**

Warner (for Voinovich/DeWine) Amendment No. 829, to provide that requirements on coverage of the costs of instruction at the Naval Postgraduate School shall also apply with respect to costs of instruction at the Air Force Institute of Technology. **Page S6921**

Warner (for Hutchison) Amendment No. 830, to amend the section 351 funding authority to include authority for the funds to be used for making Impact Aid basic support payments to local educational agencies affected by the Brooks Air Force Base Demonstration Project, including amounts computed on the basis of Federal property that is converted non-Federal property. **Page S6921**

Warner (for Domenici) Amendment No. 831, to state the sense of the Senate on the reconsideration of the decision to terminate the border and seaport inspection duties of the National Guard as part of its drug interdiction and counter-drug mission. **Pages S6921–22**

Rejected:

By 48 yeas to 51 nays (Vote No. 192), Murray Amendment No. 691, to restore a previous policy regarding restrictions on use of Department of Defense medical facilities. **Pages S6892, S6902–12**

Withdrawn:

Boxer Amendment No. 825, to require a report relative to a sole-source contract for the reconstruction of the Iraqi oil industry. **Pages S6914–18, S6919**

**Department of Defense Authorization:** Senate passed S. 1047, to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, and to prescribe personnel strengths for such fiscal year for the Armed Forces, after striking all after the enacting clause and inserting in lieu thereof Division A of S. 1050, National Defense Authorization, as amended. **Page S6941**

**Military Construction Authorization:** Senate passed S. 1048, to authorize appropriations for fiscal year 2004 for military construction, after striking all after the enacting clause and inserting in lieu thereof Division B of S. 1050, National Defense Authorization, as amended. **Page S6941**

**Department of Energy Defense Activities Authorization:** Senate passed S. 1049, to authorize appropriations for fiscal year 2004 for defense activities of the Department of Energy, after striking all after the enacting clause and inserting in lieu thereof Division C of S. 1050, National Defense Authorization, as amended. **Page S6941**

**Idaho Judgeship:** Senate passed S. 878, to authorize an additional permanent judgeship in the District of Idaho, after agreeing to the committee amendment in the nature of a substitute. **(See next issue.)**

**Anti-Semitic Violence Concern:** Senate agreed to S. Con. Res. 7, expressing the sense of Congress that the sharp escalation of anti-Semitic violence within many participating States of the Organization for Security and Cooperation in Europe (OSCE) is of profound concern and efforts should be undertaken to prevent future occurrences. **(See next issue.)**

**Condemning Bigotry and Violence:** Committee on the Judiciary was discharged from further consideration of S. Res. 133, condemning bigotry and violence against Arab Americans, Muslim, Americans, South-Asian Americans, and Sikh Americans, and the resolution was then agreed to. **(See next issue.)**

**Designating Constitution Day:** Senate agreed to S. Res. 92, designating September 17, 2003 as "Constitution Day". **(See next issue.)**

**Designating National Safety Month:** Senate agreed to S. Res. 145, designating June 2003, as "National Safety Month". **(See next issue.)**

**Parental Notification Act Agreement:** A unanimous-consent agreement was reached providing that, at a time determined by the Majority Leader, after consultation with the Democratic Leader, Senate proceed to S. 1104, to amend title 10, United States Code, to provide for parental involvement in abortions of dependent children of members of the Armed Forces, that immediately upon the reporting of the bill, the Majority Leader or his designee be recognized to file a motion to close further debate on the bill; that there be 60 minutes, for debate only, equally divided between Senators Brownback and Murray, and that following debate time, and notwithstanding the provisions of Rule 22, Senate proceed to vote on the motion to close further debate; that if cloture is not invoked, the bill be placed on the Calendar; if cloture is invoked, it be

in order to file first-degree amendments until the vote, and second-degree amendments up to three hours after the vote. (See next issue.)

**Enrollment Correction:** Senate concurred in the amendment of the House to S. Con. Res. 46, to correct the enrollment of H.R. 1298. Pages S6918–19

**Reconciliation—Agreement:** A unanimous-consent-time agreement was reached providing for consideration of the conference report on H.R. 2, to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2004, at 8:30 a.m., on Friday, May 23, 2003, with a vote on adoption of the conference report to occur at 9:30 a.m. Page S6945

**Debt Limit Extension Agreement:** A unanimous-consent agreement was reached providing that following the vote on the conference report on H.R. 2 (listed above), Senate will begin consideration of H.J. Res. 51, increasing the statutory limit on the public debt. (See next issue.)

**Messages From the President:** Senate received the following message from the President of the United States:

Transmitting, pursuant to the International Emergency Act and the National Emergencies Act, a report that declares a national emergency to deal with the unusual and extraordinary threat posed to the national security and foreign policy of the United States by the threat of attachment or other judicial process against the Development Fund for Iraq, Iraqi petroleum and petroleum products, and interests therein, and proceeds, obligations, or any financial instruments of any nature whatsoever arising from or related to the sale or marketing thereof, and interests therein; to the Committee on Banking, Housing, and Urban Affairs. (PM–36) (See next issue.)

**Nominations Confirmed:** Senate confirmed the following nominations:

By unanimous vote of 99 yeas (Vote No. 195), Consuelo Maria Callahan, of California, to be United States Circuit Judge for the Ninth Circuit.

Pages S6942–45, S6946

Michael B. Enzi, of Wyoming, to be a Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

Paul Sarbanes, of Maryland, to be a Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

James Shinn, of New Jersey, to be a Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

Cynthia Costa, of South Carolina, to be an Alternate Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

Ralph Martinez, of Florida, to be an Alternate Representative of the United States of America to the Fifty-seventh Session of the General Assembly of the United Nations.

Mark Moki Hanohano, of Hawaii, to be United States Marshal for the District of Hawaii for the term of four years.

Michael E. Horowitz, of Maryland, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2007.

Ricardo H. Hinojosa, of Texas, to be a Member of the United States Sentencing Commission for a term expiring October 31, 2007.

Jeffrey Lunstead, of the District of Columbia, to be Ambassador to the Democratic Socialist Republic of Sri Lanka, and to serve concurrently and without additional compensation as Ambassador to the Republic of Maldives.

James B. Foley, of New York, to be Ambassador to the Republic of Haiti.

L. Scott Coogler, of Alabama, to be United States District Judge for the Northern District of Alabama.

Steven A. Browning, of Texas, to be Ambassador to the Republic of Malawi.

Steven B. Nesmith, of Pennsylvania, to be an Assistant Secretary of Housing and Urban Development.

Lane Carson, of Louisiana, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2004.

James Broaddus, of Texas, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2004.

Jose Teran, of Florida, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2005.

Nicholas Gregory Mankiw, of Massachusetts, to be a Member of the Council of Economic Advisers.

Harry K. Thomas, Jr., of New York, to be Ambassador to the People's Republic of Bangladesh.

Morgan Edwards, of North Carolina, to be a Member of the Board of Directors of the National Institute of Building Sciences for a term expiring September 7, 2005.

Richard W. Erdman, of Maryland, to be Ambassador to the People's Democratic Republic of Algeria. Page S6946

**Nominations Received:** Senate received the following nominations:

Brian F. Holeman, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

2 Air Force nominations in the rank of general.

5 Coast Guard nominations in the rank of admiral.

1 Marine Corps nomination in the rank of general.

2 Navy nominations in the rank of admiral.

A routine list in the Foreign Service.

Pages S6945–46

Messages From the House: (See next issue.)

Measures Referred: (See next issue.)

Measures Read First Time: (See next issue.)

Enrolled Bills Presented: (See next issue.)

Executive Communications: (See next issue.)

Petitions and Memorials: (See next issue.)

Executive Reports of Committees: (See next issue.)

Additional Cosponsors: (See next issue.)

Statements on Introduced Bills/Resolutions: (See next issue.)

Additional Statements: (See next issue.)

Amendments Submitted: (See next issue.)

Notices of Hearings/Meetings: (See next issue.)

Authority for Committees to Meet: (See next issue.)

Privilege of the Floor: (See next issue.)

Record Votes: Four record votes were taken today. (Total—195) Pages S6911, S6920, S6941, S6944–45

**Adjournment:** Senate met at 9:30 a.m., and adjourned at 10:34 p.m., until 8:30 a.m., on Friday, May 23, 2003. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S6945.)

## Committee Meetings

(Committees not listed did not meet)

### STEM CELL RESEARCH

*Committee on Appropriations:* Subcommittee on Labor, Health and Human Services, and Education, and Related Agencies concluded hearings to examine federal funding for human embryonic stem cell research, focusing on increasing the availability of stem cell lines for federal research, training scientists for technically-challenging cells, and basic pre-clinical research relative to the treatment of injuries and diseases, after receiving testimony from Elias Zerhouni, Director, and James Battey, Director, National Institute on Deafness and Other Communication Disorders, and Ronald McKay, Senior Investigator, National Institute of Neurological Disorders and Stroke,

both of the National Institutes of Health, all of the Department of Health and Human Services; John A. Kessler, Northwestern University's Feinberg School of Medicine, Evanston, Illinois; James Cordy, Pittsburgh, Pennsylvania, on behalf of the Coalition for the Advancement of Medical Research; and Roy Ogle, University of Virginia Medical School, Charlottesville.

### APPROPRIATIONS: AGRICULTURE/FDA

*Committee on Appropriations:* Subcommittee on Agriculture, Rural Development, and Related Agencies concluded hearings to examine proposed budget estimates for fiscal year 2004 for the Department of Agriculture and the Food and Drug Administration, Department of Health and Human Services, after receiving testimony from Eric M. Bost, Under Secretary for Food, Nutrition, and Consumer Services, Elsa A. Murano, Under Secretary for Food Safety, and William T. Hawks, Under Secretary for Marketing and Regulatory Programs, all of the Department of Agriculture; and Mark B. McClellan, Commissioner of Food and Drugs, Department of Health and Human Services.

### APPROPRIATIONS: DOE

*Committee on Appropriations:* Subcommittee on Interior concluded hearings to examine proposed budget estimates for fiscal year 2004 for the Department of Energy, after receiving testimony from Spencer Abraham, Secretary of Energy.

### APPROPRIATIONS: HIGHWAY SAFETY INITIATIVES

*Committee on Appropriations:* Subcommittee on Transportation, Treasury and General Government concluded hearings to examine proposed budget estimates for fiscal year 2004 for highway safety initiatives, focusing on developing a plan to research and enact effective data-driven programs to reduce the number of highway fatalities, after receiving testimony from Jeffrey Runge, Administrator, National Highway Traffic Safety Administration, Annette M. Sandberg, Acting Administrator, Federal Motor Carrier Safety Administration, both of the Department of Transportation; Wendy Hamilton, Mothers Against Drunk Driving, Irving, Texas; and Chuck Hurley, National Safety Council, Itasca, Illinois.

### U.S. ECONOMY

*Committee on Banking, Housing, and Urban Affairs:* Committee concluded oversight hearings to examine issues relating to the U.S. economy, focusing on increasing investments in the equity markets, after receiving testimony from Peter R. Fisher, Under Secretary of the Treasury for Domestic Finance; Wayne D. Angell, Angell Economics, Arlington, Virginia;

James W. Stuckert, J.J.B. Hilliard and W.L. Lyons Incorporated, Louisville, Kentucky; and Mark Zandi, Economy.com, West Chester, Pennsylvania.

### **MEDIA OWNERSHIP**

*Committee on Commerce, Science, and Transportation:* Committee concluded hearings to examine media ownership, focusing on localism, diversity, and competition in broadcast television, and the Federal Communication Commission's ban on newspaper/broadcast cross-ownership, after receiving testimony from Senator Allard; Rupert Murdoch, News Corporation, Gene Kimmelman, Consumers Union, on behalf of Consumers Union and the Consumer Federation of America, and Kent W. Mikkelsen, Economists Incorporated, all of Washington, D.C.; and Thomas Fontana, Fontana-Levinson Company, New York, New York, on behalf of the Writers Guild of America, East and the Caucus for Television Producers, Writers and Directors, and the American Federation of Television and Radio Artists.

### **EMERGENCY COMMUNICATIONS AND COMPETITION ACT**

*Committee on Commerce, Science, and Transportation:* Subcommittee on Communications concluded hearings to examine S. 564, to facilitate the deployment of wireless telecommunications networks in order to further the availability of the Emergency Alert System, and issues relating to providing wireless broadband in rural areas, after receiving testimony from Antoinette Cook Bush, Northpoint Technology, Ltd., and Thomas W. Hazlett, Manhattan Institute for Policy Research, both of Washington, D.C.; Andrew S. Wright, Satellite Broadcasting and Communications Association, Alexandria, Virginia; Harold Kirkpatrick, MDS America, Stuart, Florida; and Larry Roadman, Margaretville Telephone Company Incorporated, New York.

### **SAFETEA**

*Committee on Commerce, Science, and Transportation:* Subcommittee on Competition, Foreign Commerce and Infrastructure concluded hearings to examine S. 1072, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, (also known as SAFETEA (Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2003)), after receiving testimony from Jeffrey W. Runge, Administrator, National Highway Traffic Safety Administration, Department of Transportation; Peter Guerrero, Physical Infrastructure Team, General Accounting Office; Jacqueline S. Gillan, Advocates for Highway and Auto Safety, Robert Strassberger, Alliance of Automobile Manufacturers, and Richard Ber- man, American Beverage Licensees/American Beverage Institute, all of Washington, D.C.; Wendy J.

Hamilton, Mothers Against Drunk Driving, Irving, Texas; and Kathryn Swanson, Minnesota Office of Traffic Safety, St. Paul, on behalf of the Governors Highway Safety Association.

### **IRAQ**

*Committee on Foreign Relations:* Committee held hearings to examine Iraq stabilization and reconstruction, focusing on U.S. policy and plans, security, the political situation, the international community, the Coalition and the United Nations, military organization, troop strength, and rules of engagement, receiving testimony from Paul Wolfowitz, Deputy Secretary of Defense; and General Peter Pace, Vice Chairman, Joint Chiefs of Staff.

Hearings continue on Wednesday, June 4, 2003.

### **INDIAN TELECOMMUNICATIONS**

*Committee on Indian Affairs:* Committee concluded hearings to examine the status of telecommunications in Indian Country, focusing on establishing telecommunication infrastructures in tribal communities, after receiving testimony from K. Dane Snowden, Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission; Hilda Gay Legg, Administrator, Rural Utilities Service, Rural Development, Department of Agriculture; Kelly Klegar Levy, Associate Administrator, Office of Policy Analysis and Development, National Telecommunications and Information Administration, Department of Commerce; Kade L. Twist, Kade L. Twist Consulting, Tempe, Arizona; Roanne Robinson Shaddox, Privacy Council, Incorporated, Washington, D.C., and Marcia Warren Edelman, Reston, Virginia, both of the Native Networking Policy Center; Richard P. Narcia, Gila River Indian Community, Sacaton, Arizona; Nora McDowell, Fort Mojave Tribe, Needles, California; Madonna Peltier Yawaki, Turtle Island Communications, Fort Yates, North Dakota; Gerald Monette, Turtle Mountain Community College, Belcourt, North Dakota, on behalf of the American Indian Higher Education Consortium; Valerie Fast-Horse, Couer d'Alene Tribe of Idaho, Plummer, on behalf of the Affiliated Tribes of Northwest Indians; Denis Turner, Southern California Tribal Chairmen's Association, Valley Center, California; Cora Whiting-Hildebrand, Oglala Lakota Sioux Tribe, Pine Ridge, South Dakota; Gene Dejordy, Western Wireless Corporation, Bellevue, Washington; Mike Strand, Montana Independent Telecommunications Systems, Helena; and Ben H. Standifer, Jr., Tohono O'odham Nation, Sells, Arizona.

### **BUSINESS MEETING**

*Committee on the Judiciary:* Committee ordered favorably reported the following business items:

S. 554, to allow media coverage of court proceedings;

S. 1023, to increase the annual salaries of justices and judges of the United States, with amendments;

S. 858, to extend the Abraham Lincoln Bicentennial Commission;

S. Res. 136, recognizing the 140th anniversary of the founding of the Brotherhood of Locomotive Engineers, and congratulating members and officers of the Brotherhood of Locomotive Engineers for the union's many achievements;

S. Res. 92, designating September 17, 2003 as "Constitution Day";

S. Res. 145, designating June 2003, as "National Safety Month"; and

The nominations of Michael Chertoff, of New Jersey, to be United States Circuit Judge for the Third Circuit, and Robert D. McCallum, Jr., of Georgia, to be Associate Attorney General, and Peter D. Keisler, of Maryland, to be an Assistant Attorney General, both of the Department of Justice.

## NOMINATIONS

*Committee on the Judiciary:* Committee concluded hearings to examine the nominations of Richard C. Wesley, of New York, to be United States Circuit Judge for the Second Circuit, who was introduced by Senators Schumer and Clinton, and Representative Reynolds; J. Ronnie Greer, to be United States District Judge for the Eastern District of Tennessee, who was introduced by Senators Frist and Alexander, Thomas M. Hardiman, to be United States District Judge for the Western District of Pennsylvania, who was introduced by Senators Specter and Santorum, Mark R. Kravitz, to be United States District Judge for the District of Connecticut, who was introduced by Senator Dodd, and John A. Woodcock, Jr., to be United States District Judge for the District of Maine, who was introduced by Senators Snowe and Collins, after each nominee testified and answered questions in their own behalf.

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# House of Representatives

## Chamber Action

**Measures Introduced:** There were no measures introduced today.

**Reports Filed:** Reports were filed today as follows:

H.R. 1086, to encourage the development and promulgation of voluntary consensus standards by providing relief under the antitrust laws to standards development organizations with respect to conduct engaged in for the purpose of developing voluntary consensus standards (H. Rept. 108-125);

(See next issue.)

Conference report on H.R. 2, to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2004 (H. Rept. 108-126);

H.R. 1119, to amend the Fair Labor Standards Act of 1938 to provide compensatory time for employees in the private sector (H. Rept. 108-127);

H.R. 238, to provide for Federal energy research, development, demonstration, and commercial application activities, amended (H. Rept. 108-128, Part 1); and

H. Res. 253, waiving points of order against the conference report on H.R. 2, to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2004 (H. Rept. 108-129).

(See next issue.)

**Jobs and Growth Tax Relief Reconciliation Act:** The House disagreed to the Senate amendment to H.R. 2, to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2004, and agreed to a conference. Appointed as conferees: Chairman Thomas and Representatives DeLay, and Rangel. **Pages H4534-42**

Agreed to the Stenholm motion that instructs conferees to (1) include in the conference report the fiscal relief provided to States by section 371 of the Senate amendment, and (2) to the maximum extent possible within the scope of conference agree to a conference report that will neither increase the Federal budget deficit nor increase the amount of the debt subject to the public debt limit. **Pages H4534-42**

**Same Day Consideration Jobs and Growth Tax Relief Reconciliation Act Conference Report:** The House agreed to H. Res. 249, waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules by recorded vote of 218 ayes to 202 noes, Roll No. 212; and agreed to order the previous question by yea-and-nay vote of 221 yeas to 202 nays, Roll No. 211. **Pages H4558-64**

**Agreeing to the Jobs and Growth Tax Relief Reconciliation Act Conference Report:** The House agreed to the conference report on H.R. 2, to provide for reconciliation pursuant to section 201 of the

concurrent resolution on the budget for fiscal year 2004 by yea-and-nay vote of 231 yeas to 200 nays, Roll No. 225. (See next issue.)

Agreed to H. Res. 253, the rule waiving points of order against the conference report by voice vote and agreed to order the previous question by yea-and-nay vote of 221 yeas to 205 nays, Roll No. 224. (See next issue.)

**Suspensions:** The House agreed to suspend the rules and pass the following measures:

**Veterans' Compensation Cost-of-Living Adjustment:** Debated on May 20, H.R. 1683, to increase, effective as of December 1, 2003, the rates of disability compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for survivors of certain service-connected disabled veterans (agreed to by 2/3 yea-and-nay vote of 426 yeas with none voting "nay", Roll No. 209); and **Pages H4556–57**

**Selected Reserve Home Loan Equity Act:** Debated on May 20, H.R. 1257, to amend title 38, United States Code, to make permanent the authority for qualifying members of the Selected Reserve to have access to home loans guaranteed by the Secretary of Veterans Affairs and to provide for uniformity in fees charged qualifying members of the Selected Reserve and active duty veterans for such home loans (agreed to by 2/3 yea-and-nay vote of 428 yeas with none voting "nay", Roll No. 210).

**Page H4557**

**National Defense Authorization for Fiscal Year 2004:** The House passed H.R. 1588, to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense and to prescribe military personnel strengths for fiscal year 2004 by recorded vote of 361 yeas to 68 noes, Roll No. 221. Agreed to amend the title so as to read: "A bill to authorize appropriations for fiscal year 2004 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes." The bill was also considered on May 21.

**Pages H4571–83 (continued next issue)**

Rejected the Cooper motion to recommit the bill to the Committee on Armed Services with instructions to report it back forthwith with amendments that establish an Employee Bill of Rights by recorded vote of 204 yeas to 224 noes, Roll No. 220.

(See next issue.)

Agreed To:

Goss amendment No. 6 printed in H. Rept. 108–120 and debated on May 21 that requires a report from the Secretary of Defense on appropriate

steps that can be taken in response to foreign governments who initiate legal actions against current or former officials of the United States or members of the Armed Forces relating to the performance of their official duties (agreed to by recorded vote of 412 yeas to 11 noes, Roll No. 217); **Pages H4572–73**

Saxton amendment No. 8 printed in H. Rept. 108–120 and debated on May 21 that repeals the statutory requirement that the United States defense attache to France must hold, or be on the promotion list, the grade of brigadier general or rear admiral, lower half (agreed to by recorded vote of 302 yeas to 123 noes, Roll No. 218); **Pages H4573–74**

Hunter en bloc amendment consisting of amendments printed in H. Rept. 108–122 and numbered 1, that grants the Secretary of Education waiver authority to provide student loan relief to those affected by military mobilization; No. 2, includes health agencies as recipients to the DOD Excess Personal Property Disposal Program; No. 3, encourages the Navy to resume regular port visits to Haifa, Israel by the Sixth Fleet; No. 5, establishes a pilot program to improve the use of Air Force Reserve and Air National Guard Modular Airborne Fire-Fighting Systems to fight wildfires; No. 7, strikes the repeal of reporting requirement regarding foreign military training programs abroad;

No. 8, directs study on the use of small, minority-owned and women-owned businesses in the efforts to rebuild Iraq; No. 10, encourages the maintenance of functions and missions of the Army Peacekeeping Institute; No. 11, as modified, establishes the Nuclear Security Initiative with respect to the Russian Federation and other independent states of the former Soviet Union; No. 12, requires support to Iraqi children who were injured during Operation Iraqi Freedom; No. 13, authorizes imminent danger pay to military service members responding to terrorist attacks on the United States; No. 14, allows existing vessels to be documented under United States flag providing that certain telecommunications and electronic standards are met;

No. 15, provides an additional \$100 million to the fourth Stryker brigade; No. 16, requires a review of the effects of disqualification factors on the granting of security clearances; No. 17, expands the scope of industrial base assessment to include the business rationale for transferring work overseas; No. 18, directs the examination of the costs and benefits of purchasing all ex-Soviet weaponsgrade uranium and plutonium and safeguarding it from theft; No. 19, requires a study on the effects of perchlorate in drinking water on human beings; No. 20, requires a report on the military construction requirements necessary to support homeland defense missions;



No. 21, as modified, provides for the identification of all contractors and subcontractors that use machine tools in carrying out any defense contract in an amount that is \$5 million or greater; No. 22, specifies that DOD shall not consider the provisions of trade agreements when the application of the Buy American Act is inconsistent with the public interest; No. 23, directs DOD to assist with the United States Air and Trade Show; No. 24, allows for roads used for public access to be available after military installations are closed or placed in an inactive status; No. 25, requires purchases subject to the Buy American Act to be at least 65 percent domestic content instead of 50 percent;

No. 26, urges the demolition of the Tacony Warehouse in Philadelphia, Pennsylvania; No. 27, clarifies that the domestic source limitation in section 821 applies only to pre-formed retort packaging in direct contact with main entree meals; No. 28, makes permanent a demonstration project in Monterey, California that allows a contract for municipal services; No. 29, authorizes the Navy to convey land at the Puget Sound Naval Shipyard to the city of Bremerton, Washington; and No. 30, transfers certain vessels from the Maritime Administration to the Beauchamp Tower Corporation for use as moored support ships and as memorials to the Fulton and Victory-class ships;

**Pages H4574–83 (continued next issue)**

Tom Davis of Virginia amendment No. 3 printed in H. Rept. 108–122 that establishes the Human Capital Performance Fund to be administered by OPM; and

**(See next issue.)**

Hastings of Florida amendment No. 9 printed in H. Rept. 108–122 that strikes the repeal of Title 10 reporting requirements on the President's objectives when forces are deployed, costs of military humanitarian assistance; and the management of the civilian workforce.

Rejected:

Loretta Sanchez amendment No. 3 printed in H. Rept. 108–120 and debated on May 21 that sought to permit abortions at DOD facilities outside of the United States (rejected by recorded vote of 201 ayes to 227 noes, Roll No. 215);

**Pages H4571–72**

Tauscher amendment No. 4 printed in H. Rept. 108–120 and debated on May 21 that sought to transfer Robust Nuclear Earth Penetrator program funding of \$15 million and advanced concepts initiative activities funding of \$6 million to conventional programs to defeat hardened and deeply buried targets (rejected by recorded vote of 199 ayes to 226 noes, Roll No. 216); and

**Page H4572**

Dreier amendment No. 6 printed in H. Rept. 108–122 that sought to repeal the Million Theoretical Operations Per Second (MTOPS) based meth-

od for controlling computer exports 120 days after enactment (rejected by recorded vote of 207 ayes to 217 noes, Roll No. 219).

**(See next issue.)**

The Clerk was authorized to make corrections and conforming changes in the engrossment of the bill.

**(See next issue.)**

The House agreed to H. Res. 247, the rule that provided for further consideration of the bill by recorded vote of 222 ayes to 199 noes with 2 voting "present", Roll No. 208; and agreed to order the previous question by yea-and-nay vote of 224 yeas to 198 nays with 1 voting "present," Roll No. 207. On May 21, the House agreed to H. Res. 245, the first rule that provided for consideration of the bill.

**Pages H4542–56**

**Unemployment Compensation Amendments of 2003:** The House passed H.R. 2185, to extend the Temporary Extended Unemployment Compensation Act of 2002 by recorded vote of 409 ayes to 19 noes, Roll No. 223.

**(See next issue.)**

Rejected the Cardin motion to recommit the bill to the Committee on Ways and Means with instructions that the Committee report the same back to the House forthwith with the following amendment that sought to extend temporary extended unemployment compensation by yea-and-nay vote of 205 yeas to 222 nays, Roll No. 222.

**(See next issue.)**

Earlier, the House agreed to H. Res. 248, the rule that provided for consideration of the bill by recorded vote of 216 ayes to 201 noes, Roll No. 214; and agreed to order the previous question by yea-and-nay vote of 217 yeas to 203 nays, Roll No. 213.

**Pages H4564–71**

**Memorial Day District Work Period:** The House agreed to H. Con. Res. 191, providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate by yea-and-nay vote of 213 yeas to 195 nays, Roll No. 226.

**(See next issue.)**

**Calendar Wednesday:** Agreed to dispense with the Calendar Wednesday business of Wednesday, June 4.

**(See next issue.)**

**Pending Concurrence of the Senate in Adjournment Resolution:** Agreed that when the House adjourns today, it adjourn to meet at 2 p.m. on Tuesday, May 27, 2003 unless it sooner has received a message from the Senate transmitting its concurrence in H. Con. Res. 191, in which case the House shall stand adjourned pursuant to that concurrent resolution.

**(See next issue.)**

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he appointed Representative Tom Davis of Virginia or, if not available to perform this duty, Representative Pence to act as Speaker pro

tempore to sign enrolled bills and joint resolutions through Monday, June 2. (See next issue.)

**Presidential Message—National Emergency re Development Fund for Iraq:** Read a message from the President wherein he announced that he has exercised his authority to declare a national emergency to deal with the unusual threat posed to the national security by the threat of attachment or other judicial process against the Development Fund for Iraq—referred to the Committee on International Relations and ordered printed (H. Doc. 108–76).

(See next issue.)

**Recess:** The House recessed at 9:21 p.m. and reconvened at 10:39 p.m. (See next issue.)

**Senate Messages:** Messages received from the Senate today appear on page H4531.

**Referral:** S. 515 was referred to the Committee on Energy and Commerce. (See next issue.)

**Quorum Calls—Votes:** Nine yea-and-nay votes and eleven recorded votes developed during the proceedings of the House today and appear on pages H4555, H4556, H4556–57, H4557, H4562–63, H4563, H4570, H4570–71, H4571–72, H4572, H4573, H4573–74 (continued next issue). There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and at 2:17 a.m. on Friday, May 23, pursuant to the previous order of the House of today, the House stands adjourned until 2 p.m. on Tuesday, May 27, 2003 unless it sooner has received a message from the Senate transmitting its adoption of H. Con. Res. 191, in which case the House shall stand adjourned pursuant to that concurrent resolution.

## Committee Meetings

### CROP INSURANCE INDUSTRY—FINANCIAL STATUS

*Committee on Agriculture:* Subcommittee on General Farm Commodities and Risk Management held a hearing to review the financial status of the Crop Insurance industry. Testimony was heard from the following officials of the USDA: Ross J. Davidson, Administrator, Risk Management Agency; and Keith Collins, Chief Economist; and public witnesses.

### COMMERCE, JUSTICE, STATE, JUDICIARY AND RELATED AGENCIES APPROPRIATIONS

*Committee on Appropriations:* Subcommittee on Commerce, Justice, State, Judiciary and Related Agencies held a hearing on Impact of Chinese Imports on U.S. Companies. Testimony was heard from Peter F. Allgeier, Deputy U.S. Trade Representative; Grant

D. Aldonas, Under Secretary, International Trade, International Trade Administration, Department of Commerce; Douglas M. Browning, Deputy Commissioner, Customs and Border Protection, Department of Homeland Security; and public witnesses.

### NIH—DECODING FEDERAL INVESTMENT IN GENOMIC RESEARCH

*Committee on Energy and Commerce:* Subcommittee on Health held a hearing entitled “National Institutes of Health: Decoding our Federal Investment in Genomic Research.” Testimony was heard from the following officials of the Department of Health and Human Services: Francis Collins, M.D., Director, National Human Genome Research Institute, NIH; and Muin J. Khoury, M.D., Director, Office of Genomics and Disease Prevention, Centers for Disease Control and Prevention; and Aristides Patrinos, Director, Office of Biological and Environmental Research, Department of Energy; and public witnesses.

### HEDGE FUNDS

*Committee on Financial Services:* Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled “The Long and Short of Hedge Funds: Effects of Strategies for Managing Market Risk.” Testimony was heard from William H. Donaldson, Chairman, SEC; and public witnesses.

### SECTION 8 HOUSING ASSISTANCE PROGRAM

*Committee on Financial Services:* Subcommittee on Housing and Community Opportunity held a hearing entitled “The Section 8 Housing Assistance Program: Promoting Decent Affordable Housing for Families and Individuals who Rent.” Testimony was heard from Michael Liu, Assistant Secretary, Public and Indian Housing, Department of Housing and Urban Development.

### MISCELLANEOUS MEASURES

*Committee on Government Reform:* Ordered reported the following measures: H.R. 2122, amended, Project BioShield Act of 2003; H.R. 2087, amended, Bob Hope American Patriot Award Act of 2003; H. Con. Res. 162, honoring the city of Dayton, Ohio, and its many partners, for hosting “Inventing Flight: The Centennial Celebration,” a celebration of the centennial of Wilbur and Orville Wright’s first flight; H.R. 1465, to designate the facility of the United States Postal Service located at 4832 East Highway 27 in Iron Station, North Carolina, as the “General Charles Gabriel Post Office”; H.R. 1610, to redesignate the facility of the United States Postal Service located at 120 East Ritchie Avenue in Marceline,

the occasion of the death of Irma Rangel; H. Res. 195, congratulating Sammy Sosa of the Chicago Cubs for hitting 500 major league home runs; and H.R. 2030, to designate the facility of the United States Postal Service located at 120 Baldwin Avenue in Paia, Maui, Hawaii, as the “Patsy Takemoto Mink Post Office Building.”

#### **OFFICE OF NATIONAL DRUG CONTROL POLICY REAUTHORIZATION**

*Committee on Government Reform:* Held a hearing on H.R. 2086, Office of National Drug Control Policy Reauthorization Act of 2003. Testimony was heard from John P. Walters, Director, Office of National Drug Control Policy.

#### **INTERNET TAX NONDISCRIMINATION ACT; BANKRUPTCY JUDGESHIP ACT**

*Committee on the Judiciary:* Subcommittee on Commercial and Administrative Law approved for full Committee action, as amended, H.R. 49, Internet Tax Nondiscrimination Act.

The Subcommittee also held a hearing on H.R. 1428, Bankruptcy Judgeship Act of 2003. Testimony was heard from Michael J. Melloy, U.S. Circuit Judge, Court of Appeals of the Eighth Circuit; Paul Mannes, U.S. Bankruptcy Judge for the District of Maryland; William O. Jenkins, Jr., Director, Homeland Security and Justice Issues, GAO; and a public witness.

#### **U.S. PATENT AND TRADEMARK FEE MODERNIZATION ACT**

*Committee on the Judiciary:* Subcommittee on Courts, the Internet and Intellectual Property approved for full Committee action, as amended, H.R. 1561, United States Patent and Trademark Fee Modernization Act of 2003.

#### **MISCELLANEOUS MEASURES**

*Committee on Resources:* Subcommittee on Fisheries Conservation, Wildlife and Oceans held a hearing on the following measures: H.R. 2048, International Fisheries Reauthorization Act of 2003; and H. Res. 30, concerning the San Diego long-range sportfishing fleet and rights to fish the waters near the Revillagigedo Islands of Mexico. Testimony was heard from Ambassador Mary Beth West, Deputy Assistant Secretary, Oceans and Fisheries, Bureau of Oceans and International Environmental and Scientific Affairs, Department of State; William T. Hogarth, Assistant Administrator, Fisheries, National Marine Fisheries Service, NOAA, Department of Commerce; and Marshall P. Jones, Jr., Deputy Director, U.S. Fish and Wildlife Service, Department of the Interior.

#### **MISCELLANEOUS MEASURES**

*Committee on Resources:* Subcommittee on Water and Power held a hearing on the following bills: H.R. 1598, Irvine Basin Surface and Groundwater Improvement Act of 2003; and H.R. 1732, Williamson County Water Recycling Act of 2003. Testimony was heard from Representatives Carter and Edwards; Mark Limbaugh, Director, External and Intergovernmental Affairs, Bureau of Reclamation, Department of the Interior; and public witnesses.

#### **CONFERENCE REPORT—JOBS AND GROWTH TAX RELIEF RECONCILIATION ACT OF 2003**

*Committee on Rules:* Granted, by voice vote, a rule waiving all points of order against the conference report on H.R. 2, Jobs and Growth Tax Relief Reconciliation Act of 2003, and against its consideration. The rule provides that the conference report shall be considered as read. The rule provides one hour of debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. The rule provides that the previous question shall be considered as ordered on the conference report to final adoption without intervening motion except one motion to recommit. Finally, the rule provides that the yeas and nays shall be considered as ordered on the question of adoption of the conference report and that clause 5(b) of rule XXI (requiring a three-fifths vote on any measure containing a federal income tax rate increase) shall not apply to the conference report.

#### **PREMIER CERTIFIED LENDERS PROGRAM IMPROVEMENT ACT**

*Committee on Small Business:* Ordered reported, as amended, H.R. 923, Premier Certified Lenders Program Improvement Act.

#### **COAST GUARD AND MARITIME TRANSPORTATION ACT**

*Committee on Transportation and Infrastructure:* Subcommittee on Coast Guard and Maritime Transportation held a hearing on the Coast Guard and Maritime Transportation Act of 2003. Testimony was heard from Adm. Thomas H. Collins, USCG, Commandant, U.S. Coast Guard, Department of Homeland Security.

#### **WATER: IS IT THE “OIL” OF THE 21ST CENTURY?**

*Committee on Transportation and Infrastructure:* Subcommittee on Water Resources and Environment held a hearing on Water: Is it the “Oil” of the 21st Century? Testimony was heard from public witnesses.

Hearings continue June 4.

**VA—LONG-TERM CARE PROGRAMS**

*Committee on Veterans' Affairs:* Subcommittee on Health held a hearing on long-term care programs in the Department of Veterans Affairs. Testimony was heard from Cynthia A. Bascetta, Director, Veterans' Health and Benefits Issues, GAO; and Robert H. Roswell, M.D., Under Secretary, Health, Department of Veterans Affairs.

**FBI NATIONAL SECURITY PROGRAMS BUDGET**

*Permanent Select Committee on Intelligence:* Met in executive session to hold a hearing on the FBI National Security Programs Budget. Testimony was heard from departmental witnesses.

**BRIEFING GLOBAL INTELLIGENCE UPDATE**

*Permanent Select Committee on Intelligence:* Subcommittee on Intelligence Policy and National Security met in executive session to hold a briefing on Global Intelligence Update. The Subcommittee was briefed by departmental witnesses.

**PROGRESS REPORT ON DEPARTMENT OF HOMELAND SECURITY**

*Select Committee on Homeland Security:* Concluded hearings entitled "How is America Safer? A Progress Report on the Department of Homeland Security." Testimony was heard from Tom Ridge, Secretary of Homeland Security.

***Joint Meetings*****KEEPING CHILDREN AND FAMILIES SAFE ACT**

*Conferees:* agreed to file a conference report on the differences between the Senate and House passed versions of S. 342, to amend the Child Abuse Prevention and Treatment Act to make improvements to and reauthorize programs under that Act.

**JOBS AND GROWTH RECONCILIATION TAX ACT**

*Conferees:* agreed to file a conference report on the differences between the Senate and House passed versions of H.R. 2, to provide for reconciliation pursuant to section 201 of the concurrent resolution on the budget for fiscal year 2004.

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**COMMITTEE MEETINGS FOR FRIDAY,  
MAY 23, 2003**

*(Committee meetings are open unless otherwise indicated)*

**Senate**

*Committee on Armed Services:* to hold closed hearings to examine current United States policy and military operations in Afghanistan and Iraq, 9:30 a.m., S-407, Capitol.

**House**

No committee meetings are scheduled.

*Next Meeting of the SENATE*

8:30 a.m., Friday, May 23

## Senate Chamber

**Program for Friday:** Senate will consider the Conference Report on H.R. 2, Jobs and Growth Reconciliation Tax Act, with a vote on adoption of the Conference Report to occur at 9:30 a.m.; following which, Senate will consider H.J. Res. 51, Debt Limit Extension. Also, Senate expects to consider the Unemployment Compensation Bill.

*Next Meeting of the HOUSE OF REPRESENTATIVES*

2 p.m., Monday, June 2

## House Chamber

**Program for Monday:** To be announced.

*(Senate and House proceedings for today will be continued in the next issue of the Record.)*



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